

Cannabis Control Authority

Board of Directors Meeting

DRAFT MINUTES

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January 11, 2023

1:00 PM – 3:00 PM

Commissioner's Conference Room (Basement)

Virginia Workers' Compensation Commission

333 E. Franklin St.

Richmond, VA 23219

MEMBERS PRESENT: John Keohane, Chair
Neil Amin, Vice-Chair
Michael Jerome Massie
Bette Brand
Rasheeda Creighton

LEGAL COUNSEL: James Flaherty, Office of the Attorney General

PRESENTERS: Lauren Kozlowski, Virginia Department of Health
Dane De Silva, Virginia Department of Health
Jeremy Preiss, Cannabis Control Authority
Manuel Liban, Cannabis Control Authority
Shawn Casey, Cannabis Control Authority
Jamie Patten, Cannabis Control Authority

1. CALL TO ORDER

Mr. Keohane called the meeting to order at 1:05 PM.

2. DETERMINATION OF A QUORUM

Mr. Keohane determined that, with five members present in person, the Board had a quorum.

3. APPROVAL OF THE AGENDA

Upon motion by Ms. Brand, and duly seconded by Ms. Creighton, the members unanimously voted to approve the meeting's agenda.

4. APPROVAL OF PREVIOUS MEETING'S MINUTES

Upon motion by Ms. Brand, and duly seconded by Ms. Creighton, the members unanimously voted to approve the draft minutes from the November 30, 2022, Board meeting.

5. CANNABIS USE DURING PREGNANCY & LACTATION PRESENTATION

Ms. Kozlowski and Dr. De Silva of the Virginia Department of Health (VDH) presented on cannabis use during pregnancy and lactation. Ms. Kozlowski stressed that criminalizing cannabis use during pregnancy or lactation is not the intention of their work. VDH highlighted data that indicate roughly half of pregnancies are unplanned and that pregnancies are often not confirmed until six to eight weeks, leaving the early period of pregnancy more sensitive to cannabis exposure. Ms. Kozlowski emphasized a need for increased focus on prevention education, while noting a variety of reasons a person may choose to use cannabis during pregnancy. Mr. De Silva summarized several data sources VDH has utilized to examine the issue, including state-level and national data.

Ms. Kozlowski emphasized that research on cannabis use and pregnancy has not kept pace with increasing legalization and normalization of use, and cannabis research from previous decades is not always applicable. She underlined that concern exists because THC can cross the blood-brain barrier, pass through the placenta, and enter breast milk. Some research suggests at-birth risks include growth restriction and potential withdrawal symptoms for the newborn. Ms. Kozlowski recommended Virginia consider creating safe-use and prevention tools for expectant and lactating mothers before a retail-market might exist in the Commonwealth.

6. SAFE DRIVING UPDATE

Mr. Liban updated the Board on the CCA's statutorily-mandated safe driving campaign. Phase I of the campaign, which consists of digital ads to increase awareness of the dangers and adverse consequences of marijuana-impaired driving began on January 1. This part of the campaign runs through March and will include a Spanish language component to extend the campaign's reach. Phase II, which consists of billboards with six separate safe driving messages, begins in Richmond in mid-January. and will expand to include statewide billboards in early February. Phase III of the campaign will consist of additional messaging including TV, radio, and other streaming. The campaign's messaging is grounded in the results generated by the CCA's state-wide safe driving survey.

7. TOWN HALL UPDATE

Mr. Preiss updated the status of the town halls the CCA plans to conduct in the first half of 2023. The town halls will take place in each of the Commonwealth's five health districts. They will focus on education and providing a platform for communities to share their concerns, ideas, and priorities with the CCA. The first town halls is expected to take place in Virginia Beach and Portsmouth. The dates for the initial town halls are not yet set. Mr. Preiss noted the CCA aims to hold the events at venues with a capacity for at least 100-125 attendees. The town halls will be held in the early evening and provide for online participation to increase accessibility.

8. LEGISLATIVE UPDATE

Ms. Casey gave a legislative update for the CCA Board. Ms. Casey noted that legislators have filed numerous cannabis and cannabis-related bills. She highlighted ten of the more notable measures. These included several bills that propose to provide the CCA with the statutory

capabilities to assume regulatory oversight of the Medical Cannabis Program from the Board of Pharmacy, as directed in the 2021 Cannabis Control Act. Several bills also propose the establishment of an adult-use retail cannabis market, while several others regulate intoxicating hemp products. Ms. Casey noted the CCA helped develop several of these proposals when approached by lawmakers and will continue to be available to assist members of the General Assembly in addressing any technical questions or issues. CCA staff plans to provide weekly updates on legislation for the Board throughout the 2023 session.

9. INTRODUCTIONS- NEW CCA STAFF

Mr. Preiss introduced three new CCA staff members who joined the Authority in the past few months. Ms. Jamie Patten, who had been assisting the CCA with its finance and administrative needs for the past year while serving in another role in the Commonwealth, officially joined the CCA as Chief Administrative Officer in fall 2022. Mr. Jake Shuford joined the Policy and Regulation team as Legislative and Regulatory Manager in December 2022. And Ms. Jessica (“Jess”) Seier joined the CCA as its Public Affairs Manager in January 2023.

10. FINANCE AND BUDGET UPDATE

Ms. Patten gave a finance and budget update. Ms. Patten detailed the current appropriations of the CCA, as well as expenditures, which she noted are primarily dedicated to agency start-up and staffing costs. The CCA currently has nine employees, with an additional staff member scheduled to begin in February, and five positions in various stages of the interview process. Ms. Patten also noted that the lease for the current office space is set to expire this year, so Ms. Patten and senior CCA leadership are exploring the possibility of adapting the current space to better suit the CCA’s needs or moving offices.

11. PUBLIC COMMENT PERIOD

Mr. Keohane and Mr. Preiss gave a brief introduction to the public comment period, emphasizing that the CCA primarily serves in three roles — a regulatory role, implementing decisions made by elected officials; an apolitical, bipartisan legislative consultative role; and an educational role. Mr. Keohane then opened the floor for public comment.

Mr. Eric Postow, an attorney, highlighted the difficulty of the work to move forward in cannabis policy. He called upon the CCA to share additional information and resources about education and regulation, including on legal cannabinoids enabled by the 2018 Farm Bill.

Ms. Terri Poole, a harm-reduction worker who spent eight years as a registered nurse, encouraged the CCA to further examine data regarding NICU stays and cannabis. Ms. Poole emphasized that medical cannabis users are patients, and cannabis is their prescribed medicine. She emphasized the population of medical cannabis patients includes veterans diagnosed with PTSD and encouraged caution in future police interactions with cannabis users.

Ms. Lesley Richardson, a graduate student at both Old Dominion University and Thomas Jefferson University, opined that the most encouraging word shared at the Board meeting was “education.” Ms. Richardson shared her belief that regulation and taxation are not as important

as education, and she argued for more accessible legal cannabis product, as well as the development of a cannabis health consultant certification that could be taught at college, including community colleges. Ms. Richardson suggested that the cannabis industry could provide resources to the Board.

Ms. Shara Gibson, of Caniventures, asked that future education efforts not only come from a public health perspective, but also from a small business standpoint. Ms. Gibson emphasized that small business resources should be made available as early as possible, as well as guidance on what is legal vs. illegal in the Commonwealth.

Mr. Tom Choi, a fourth-generation grocer with stores in Virginia, Maryland, and DC, shared that the issues presented during the meeting and public comment are common across states. He encouraged the CCA to work with Maryland's medical cannabis program.

Mr. Maxwell Cranford, former Director of Cultivation for Beyond Hello with eleven years of experience in cannabis, expressed support for small craft growers and patients. He also encouraged his fellow advocates to speak out on currently proposed legislation. He expressed a desire for Virginia to lead cannabis reform in the country, and internationally.

Mr. Rich Custer, a cannabis consultant, expressed that he is pleased legalization has reached Virginia but is concerned at the way medical cannabis is viewed in the Commonwealth. Mr. Custer emphasized the medical benefits of cannabis and his concern that customers, patients, and consumers are in conflict with corporations in the industry. Mr. Custer requested that the CCA support small businesses and home growers in the future and expressed his desire that the majority of the state's business growth in cannabis be undertaken by Virginians. He also expressed desire for Virginia to expand the number of plants allowed for home cultivation.

Appearing online via video, Theo from Virginia Beach emphasized that social equity be a part of any future legislation for adult-use retail cannabis and that the market should not be limited to multi-state operators.

Appearing online via video, a representative from Case Solutions thanked the Board for the opportunity to attend the meeting and stressed their belief in the importance of social equity in cannabis laws, as well as working to ensure small business owners are prepared for the opportunity to participate in a market.

12. ADJOURNMENT

The Board adjourned at 2:40pm.